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SENATE BILL 6236

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State of Washington

59th Legislature

2006 Regular Session

By Senators Schmidt, Kastama, Swecker, Oke, Berkey and Benson; by request of Secretary of State

Read first time 01/09/2006. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to election dates and deadlines; amending RCW  
2 29A.04.311, 29A.04.321, 29A.04.330, 29A.20.121, 29A.24.040, 29A.24.050,  
3 29A.24.171, 29A.24.181, 29A.24.191, 29A.24.211, 29A.28.021, 29A.28.041,  
4 29A.40.070, 29A.52.011, 29A.56.030, 29A.60.190, 27.12.355, 27.12.370,  
5 35.02.086, 35.06.070, 35.13.1821, 35.13.480, 35.61.360, 35A.14.299,  
6 35A.14.470, 36.24.190, 36.93.030, 42.12.040, 42.17.080, 42.17.710,  
7 52.02.080, 52.04.056, 52.04.071, 53.04.110, 54.08.010, 54.08.070,  
8 57.04.050, and 70.44.235; reenacting and amending RCW 29A.60.190;  
9 repealing RCW 29A.04.158; providing effective dates; and providing an  
10 expiration date.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

12 **Sec. 1.** RCW 29A.04.311 and 2004 c 271 s 105 are each amended to  
13 read as follows:

14 Nominating primaries for general elections to be held in November,  
15 and the election of precinct committee officers, must be held on the  
16 third Tuesday of the preceding (~~September or on the seventh Tuesday~~  
17 ~~immediately preceding such general election, whichever occurs first~~)  
18 August.

1       **Sec. 2.** RCW 29A.04.321 and 2004 c 271 s 106 are each amended to  
2 read as follows:

3       (1) All state, county, city, town, and district general elections  
4 for the election of federal, state, legislative, judicial, county,  
5 city, town, and district officers, and for the submission to the voters  
6 of the state, county, city, town, or district of any measure for their  
7 adoption and approval or rejection, shall be held on the first Tuesday  
8 after the first Monday of November, in the year in which they may be  
9 called. A statewide general election shall be held on the first  
10 Tuesday after the first Monday of November of each year. However, the  
11 statewide general election held in odd-numbered years shall be limited  
12 to (a) city, town, and district general elections as provided for in  
13 RCW 29A.04.330, or as otherwise provided by law; (b) the election of  
14 federal officers for the remainder of any unexpired terms in the  
15 membership of either branch of the Congress of the United States; (c)  
16 the election of state and county officers for the remainder of any  
17 unexpired terms of offices created by or whose duties are described in  
18 Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,  
19 and 23, and Article IV, sections 3 and 5 of the state Constitution and  
20 RCW 2.06.080; (d) the election of county officers in any county  
21 governed by a charter containing provisions calling for general county  
22 elections at this time; and (e) the approval or rejection of state  
23 measures, including proposed constitutional amendments, matters  
24 pertaining to any proposed constitutional convention, initiative  
25 measures and referendum measures proposed by the electorate, referendum  
26 bills, and any other matter provided by the legislature for submission  
27 to the electorate.

28       (2) A county legislative authority may(~~(, if it deems an emergency~~  
29 ~~to exist,)~~) call a special county election by presenting a resolution  
30 to the county auditor (~~(at least forty five days)~~) prior to the  
31 proposed election date. Except as provided in subsection (4) of this  
32 section, a special election called by the county legislative authority  
33 shall be held on one of the following dates as decided by such  
34 governing body:

- 35       (a) The first Tuesday after the first Monday in February;
- 36       (b) The second Tuesday in March;
- 37       (c) The fourth Tuesday in April;
- 38       (d) The third Tuesday in May;

1 (e) The day of the primary as specified by RCW 29A.04.311; or

2 (f) The first Tuesday after the first Monday in November.

3 (3) A resolution calling for a special election on a date set forth  
4 in subsection (2)(a) through (d) of this section must be presented to  
5 the county auditor at least fifty-two days prior to the election date.  
6 A resolution calling for a special election on a date set forth in  
7 subsection (2)(e) or (f) of this section must be presented to the  
8 county auditor at least eighty-four days prior to the election date.

9 (4) In addition to the dates set forth in subsection (2)(a) through  
10 (f) of this section, a special election to validate an excess levy or  
11 bond issue may be called at any time to meet the needs resulting from  
12 fire, flood, earthquake, or other act of God. Such county special  
13 election shall be noticed and conducted in the manner provided by law.

14 ((+4)) (5) In a presidential election year, if a presidential  
15 preference primary is conducted in February, March, April, or May under  
16 chapter 29A.56 RCW, the date on which a special election may be called  
17 by the county legislative authority under subsection (2) of this  
18 section during the month of that primary is the date of the  
19 presidential primary.

20 ((+5)) (6) This section shall supersede the provisions of any and  
21 all other statutes, whether general or special in nature, having  
22 different dates for such city, town, and district elections, the  
23 purpose of this section being to establish mandatory dates for holding  
24 elections except for those elections held pursuant to a home-rule  
25 charter adopted under Article XI, section 4 of the state Constitution.  
26 This section shall not be construed as fixing the time for holding  
27 primary elections, or elections for the recall of any elective public  
28 officer.

29 **Sec. 3.** RCW 29A.04.330 and 2004 c 266 s 6 are each amended to read  
30 as follows:

31 (1) All city, town, and district general elections shall be held  
32 throughout the state of Washington on the first Tuesday following the  
33 first Monday in November in the odd-numbered years.

34 This section shall not apply to:

35 (a) Elections for the recall of any elective public officer;

36 (b) Public utility districts, conservation districts, or district

1 elections at which the ownership of property within those districts is  
2 a prerequisite to voting, all of which elections shall be held at the  
3 times prescribed in the laws specifically applicable thereto;

4 (c) Consolidation proposals as provided for in RCW 28A.315.235 and  
5 nonhigh capital fund aid proposals as provided for in chapter 28A.540  
6 RCW.

7 (2) The county auditor, as ex officio supervisor of elections, upon  
8 request in the form of a resolution of the governing body of a city,  
9 town, or district, presented to the auditor (~~((at least forty five~~  
10 ~~days))~~) prior to the proposed election date, may(~~((, if the county~~  
11 ~~auditor deems an emergency to exist,))~~) call a special election in such  
12 city, town, or district, and for the purpose of such special election  
13 he or she may combine, unite, or divide precincts. Except as provided  
14 in subsection (3) of this section, such a special election shall be  
15 held on one of the following dates as decided by the governing body:

16 (a) The first Tuesday after the first Monday in February;

17 (b) The second Tuesday in March;

18 (c) The fourth Tuesday in April;

19 (d) The third Tuesday in May;

20 (e) The day of the primary election as specified by RCW  
21 (~~((29A.04.310))~~) 29A.04.311; or

22 (f) The first Tuesday after the first Monday in November.

23 (3) A resolution calling for a special election on a date set forth  
24 in subsection (2)(a) through (d) of this section must be presented to  
25 the county auditor at least fifty-two days prior to the election date.  
26 A resolution calling for a special election on a date set forth in  
27 subsection (2)(e) or (f) of this section must be presented to the  
28 county auditor at least eighty-four days prior to the election date.

29 (4) In a presidential election year, if a presidential preference  
30 primary is conducted in February, March, April, or May under chapter  
31 29A.56 RCW, the date on which a special election may be called under  
32 subsection (2) of this section during the month of that primary is the  
33 date of the presidential primary.

34 (~~((4))~~) (5) In addition to subsection (2)(a) through (f) of this  
35 section, a special election to validate an excess levy or bond issue  
36 may be called at any time to meet the needs resulting from fire, flood,  
37 earthquake, or other act of God, except that no special election may be  
38 held between the first day for candidates to file for public office and

1 the last day to certify the returns of the general election other than  
2 as provided in subsection (2)(e) and (f) of this section. Such special  
3 election shall be conducted and notice thereof given in the manner  
4 provided by law.

5 ~~((+5))~~ (6) This section shall supersede the provisions of any and  
6 all other statutes, whether general or special in nature, having  
7 different dates for such city, town, and district elections, the  
8 purpose of this section being to establish mandatory dates for holding  
9 elections.

10 **Sec. 4.** RCW 29A.20.121 and 2004 c 271 s 110 are each amended to  
11 read as follows:

12 (1) Any nomination of a candidate for partisan public office by  
13 other than a major political party may be made only: (a) In a  
14 convention held not earlier than the ~~((last Saturday in June))~~ first  
15 Saturday in May and not later than the ~~((first))~~ second Saturday in  
16 ~~((July))~~ May or during any of the seven days immediately preceding the  
17 first day for filing declarations of candidacy as fixed in accordance  
18 with RCW 29A.28.041; (b) as provided by RCW 29A.60.021; or (c) as  
19 otherwise provided in this section. Minor political party and  
20 independent candidates may appear only on the general election ballot.

21 (2) Nominations of candidates for president and vice president of  
22 the United States other than by a major political party may be made  
23 either at a convention conducted under subsection (1) of this section,  
24 or at a similar convention taking place not earlier than the first  
25 ~~((Sunday in July))~~ Saturday in June and not later than ~~((seventy days~~  
26 ~~before))~~ the ~~((general election))~~ fourth Saturday in July. Conventions  
27 held during this time period may not nominate candidates for any public  
28 office other than president and vice president of the United States,  
29 except as provided in subsection (3) of this section.

30 (3) If a special filing period for a partisan office is opened  
31 under RCW 29A.24.211, candidates of minor political parties and  
32 independent candidates may file for office during that special filing  
33 period. The names of those candidates may not appear on the general  
34 election ballot unless they are nominated by convention held no later  
35 than five days after the close of the special filing period and a  
36 certificate of nomination is filed with the filing officer no later

1 than three days after the convention. The requirements of RCW  
2 29A.20.131 do not apply to such a convention.

3 (4) A minor political party may hold more than one convention but  
4 in no case shall any such party nominate more than one candidate for  
5 any one partisan public office or position. For the purpose of  
6 nominating candidates for the offices of president and vice president,  
7 United States senator, United States representative, or a statewide  
8 office, a minor party or independent candidate holding multiple  
9 conventions may add together the number of signatures of different  
10 individuals from each convention obtained in support of the candidate  
11 or candidates in order to obtain the number required by RCW 29A.20.141.  
12 For all other offices for which nominations are made, signatures of the  
13 requisite number of registered voters must be obtained at a single  
14 convention.

15 **Sec. 5.** RCW 29A.24.040 and 2003 c 111 s 604 are each amended to  
16 read as follows:

17 A candidate may file his or her declaration of candidacy for an  
18 office by electronic means on a system specifically designed and  
19 authorized by a filing officer to accept filings.

20 (1) Filings that are received electronically must capture all  
21 information specified in RCW (~~29A.24.030~~) 29A.24.031 (1) through (4).

22 (2) Electronic filing may begin at 9:00 a.m. the (~~fourth~~) first  
23 Monday in (~~July~~) June and continue through 4:00 p.m. the following  
24 Friday.

25 (3) In case of special filing periods established in this chapter,  
26 electronic filings may be accepted beginning at 9:00 a.m. on the first  
27 day of the special filing period through 4:00 p.m. the last day of the  
28 special filing period.

29 **Sec. 6.** RCW 29A.24.050 and 2003 c 111 s 605 are each amended to  
30 read as follows:

31 Except where otherwise provided by this title, declarations of  
32 candidacy for the following offices shall be filed during regular  
33 business hours with the filing officer no earlier than the (~~fourth~~)  
34 first Monday in (~~July~~) June and no later than the following Friday in  
35 the year in which the office is scheduled to be voted upon:

1 (1) Offices that are scheduled to be voted upon for full terms or  
2 both full terms and short terms at, or in conjunction with, a state  
3 general election; and

4 (2) Offices where a vacancy, other than a short term, exists that  
5 has not been filled by election and for which an election to fill the  
6 vacancy is required in conjunction with the next state general  
7 election.

8 This section supersedes all other statutes that provide for a  
9 different filing period for these offices.

10 **Sec. 7.** RCW 29A.24.171 and 2004 c 271 s 165 are each amended to  
11 read as follows:

12 Filings for a nonpartisan office shall be reopened for a period of  
13 three normal business days, such three-day period to be fixed by the  
14 election officer with whom such declarations of candidacy are filed and  
15 notice thereof given by notifying press, radio, and television in the  
16 county and by such other means as may now or hereafter be provided by  
17 law whenever before the ((~~sixth~~)) eleventh Tuesday prior to a primary:

18 (1) A void in candidacy occurs;

19 (2) A vacancy occurs in any nonpartisan office leaving an unexpired  
20 term to be filled by an election for which filings have not been held;  
21 or

22 (3) A nominee for judge of the superior court entitled to a  
23 certificate of election pursuant to Article 4, section 29, Amendment 41  
24 of the state Constitution, dies or is disqualified.

25 Candidacies validly filed within said three-day period shall appear  
26 on the ballot as if made during the earlier filing period.

27 **Sec. 8.** RCW 29A.24.181 and 2004 c 271 s 166 are each amended to  
28 read as follows:

29 Filings for a nonpartisan office (other than judge of the supreme  
30 court or superintendent of public instruction) shall be reopened for a  
31 period of three normal business days, such three-day period to be fixed  
32 by the election officer with whom such declarations of candidacy are  
33 filed and notice thereof given by notifying press, radio, and  
34 television in the county and by such other means as may now or  
35 hereafter be provided by law, when:

1 (1) A void in candidacy for such nonpartisan office occurs on or  
2 after the ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to  
3 the ((~~sixth~~)) eleventh Tuesday before an election; or

4 (2) A nominee for judge of the superior court eligible after a  
5 contested primary for a certificate of election by Article 4, section  
6 29, Amendment 41 of the state Constitution, dies or is disqualified  
7 within the ten-day period immediately following the last day allotted  
8 for a candidate to withdraw; or

9 (3) A vacancy occurs in any nonpartisan office on or after the  
10 ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to the  
11 ((~~sixth~~)) eleventh Tuesday before an election leaving an unexpired term  
12 to be filled by an election for which filings have not been held.

13 The candidate receiving a plurality of the votes cast for that  
14 office in the general election shall be deemed elected.

15 **Sec. 9.** RCW 29A.24.191 and 2004 c 271 s 167 are each amended to  
16 read as follows:

17 A scheduled election shall be lapsed, the office deemed stricken  
18 from the ballot, no purported write-in votes counted, and no candidate  
19 certified as elected, when:

20 (1) In an election for judge of the supreme court or superintendent  
21 of public instruction, a void in candidacy occurs on or after the  
22 ((~~sixth~~)) eleventh Tuesday prior to a primary, public filings and the  
23 primary being an indispensable phase of the election process for such  
24 offices;

25 (2) Except as otherwise specified in RCW 29A.24.181, a nominee for  
26 judge of the superior court entitled to a certificate of election  
27 pursuant to Article 4, section 29, Amendment 41 of the state  
28 Constitution dies or is disqualified on or after the ((~~sixth~~)) eleventh  
29 Tuesday prior to a primary;

30 (3) In other elections for nonpartisan office a void in candidacy  
31 occurs or a vacancy occurs involving an unexpired term to be filled on  
32 or after the ((~~sixth~~)) eleventh Tuesday prior to an election.

33 **Sec. 10.** RCW 29A.24.211 and 2004 c 271 s 116 are each amended to  
34 read as follows:

35 Filings for a partisan elective office shall be opened for a period  
36 of three normal business days whenever, on or after the first day of

1 the regular filing period and before the ((~~sixth~~)) eleventh Tuesday  
2 prior to a primary, a vacancy occurs in that office, leaving an  
3 unexpired term to be filled by an election for which filings have not  
4 been held.

5 Any such special three-day filing period shall be fixed by the  
6 election officer with whom declarations of candidacy for that office  
7 are filed. The election officer shall give notice of the special  
8 three-day filing period by notifying the press, radio, and television  
9 in the county or counties involved, and by such other means as may be  
10 required by law.

11 Candidacies validly filed within the special three-day filing  
12 period shall appear on the ballot as if filed during the regular filing  
13 period.

14 **Sec. 11.** RCW 29A.28.021 and 2004 c 271 s 192 are each amended to  
15 read as follows:

16 A vacancy caused by the death or disqualification of any candidate  
17 or nominee of a major or minor political party may be filled at any  
18 time up to and including the day prior to the election for that  
19 position. For state partisan offices in any political subdivision  
20 voted on solely by electors of a single county, an individual shall be  
21 appointed to fill such vacancy by the county central committee in the  
22 case of a major political party or by the state central committee or  
23 comparable governing body in the case of a minor political party. For  
24 other partisan offices, including federal or statewide offices, an  
25 individual shall be appointed to fill such vacancy by the state central  
26 committee or comparable governing body of the appropriate political  
27 party.

28 If the vacancy occurs no later than the ((~~sixth~~)) eleventh Tuesday  
29 prior to the state primary or general election concerned and the  
30 ballots have been printed, it shall be mandatory that they be corrected  
31 by the appropriate election officers. In making such correction, it  
32 shall not be necessary to reprint complete ballots if any other less  
33 expensive technique can be used and the resulting correction is  
34 reasonably clear.

35 If the vacancy occurs after the ((~~sixth~~)) eleventh Tuesday prior to  
36 the state primary or general election and time does not exist in which  
37 to correct ballots (including absentee ballots), either in total or in

1 part, then the votes cast or recorded for the person who has died or  
2 become disqualified shall be counted for the person who has been named  
3 to fill such vacancy.

4 When the secretary of state is the person with whom the appointment  
5 by the major or minor political party is filed, the secretary shall, in  
6 certifying candidates or nominations to the various county officers  
7 insert the name of the person appointed to fill a vacancy.

8 If the secretary of state has already sent forth the certificate  
9 when the appointment to fill a vacancy is filed, the secretary shall  
10 forthwith certify to the county auditors of the proper counties the  
11 name and place of residence of the person appointed to fill a vacancy,  
12 the office for which the person is a candidate or nominee, the party  
13 the person represents, and all other pertinent facts pertaining to the  
14 vacancy.

15 **Sec. 12.** RCW 29A.28.041 and 2004 c 271 s 118 are each amended to  
16 read as follows:

17 (1) Whenever a vacancy occurs in the United States house of  
18 representatives or the United States senate from this state, the  
19 governor shall order a special election to fill the vacancy. Minor  
20 political party candidates and independent candidates may be nominated  
21 through the convention procedures provided in chapter 29A.20 RCW.

22 (2) Within ten days of such vacancy occurring, he or she shall  
23 issue a writ of election fixing a date for the special vacancy election  
24 not less than ninety days after the issuance of the writ, fixing a date  
25 for the primary for nominating major political party candidates for the  
26 special vacancy election not less than thirty days before the day fixed  
27 for holding the special vacancy election, fixing the dates for the  
28 special filing period, and designating the term or part of the term for  
29 which the vacancy exists. If the vacancy is in the office of United  
30 States representative, the writ of election shall specify the  
31 congressional district that is vacant.

32 (3) If the vacancy occurs less than six months before a state  
33 general election and before the second Friday following the close of  
34 the filing period for that general election, the special primary,  
35 special vacancy election, and minor party and independent candidate  
36 nominating conventions must be held in concert with the state primary  
37 and state general election in that year.

1 (4) If the vacancy occurs on or after the first day for filing  
2 under RCW 29A.24.050 and on or before the second Friday following the  
3 close of the filing period, a special filing period of three normal  
4 business days shall be fixed by the governor and notice thereof given  
5 to all media, including press, radio, and television within the area in  
6 which the vacancy election is to be held, to the end that, insofar as  
7 possible, all interested persons will be aware of such filing period.  
8 The last day of the filing period shall not be later than the (~~third~~)  
9 sixth Tuesday before the primary at which major political party  
10 candidates are to be nominated. The names of major political party  
11 candidates who have filed valid declarations of candidacy during this  
12 three-day period shall appear on the approaching primary ballot. The  
13 requirements of RCW 29A.20.131 do not apply to a minor political party  
14 or independent candidate convention held under this subsection.

15 (5) If the vacancy occurs later than the second Friday following  
16 the close of the filing period, a special primary, special vacancy  
17 election, and the minor party and independent candidate conventions to  
18 fill the position shall be held after the next state general election  
19 but, in any event, no later than the ninetieth day following the  
20 November election.

21 **Sec. 13.** RCW 29A.40.070 and 2004 c 266 s 13 are each amended to  
22 read as follows:

23 (1) Except where a recount or litigation under RCW (~~29A.68.010~~)  
24 29A.68.011 is pending, the county auditor shall have sufficient  
25 absentee ballots available for absentee voters of that county, other  
26 than overseas voters and service voters, at least twenty days before  
27 any primary, general election, or special election. The county auditor  
28 must mail absentee ballots to each voter for whom the county auditor  
29 has received a request nineteen days before the primary or election at  
30 least eighteen days before the primary or election. For a request for  
31 an absentee ballot received after the nineteenth day before the primary  
32 or election, the county auditor shall make every effort to mail ballots  
33 within one business day, and shall mail the ballots within two business  
34 days.

35 (2) (~~The county auditor shall make every effort to mail ballots to~~  
36 ~~overseas and service voters earlier than eighteen days before a primary~~  
37 ~~or election~~) At least thirty days before any primary, general

1 election, or special election, the county auditor shall mail ballots to  
2 all overseas and service voters. A request for a ballot made by an  
3 overseas or service voter after that day must be processed immediately.

4 (3) Each county auditor shall certify to the office of the  
5 secretary of state the dates the ballots prescribed in subsection (1)  
6 of this section were available and mailed.

7 (4) If absentee ballots will not be available or mailed as  
8 prescribed in subsection (1) of this section, the county auditor shall  
9 immediately certify to the office of the secretary of state when  
10 absentee ballots will be available and mailed. Copies of this  
11 certification must be provided to the county canvassing board, the  
12 press, jurisdictions with issues on the ballot in the election, and any  
13 candidates.

14 (5) If absentee ballots were not available or mailed as prescribed  
15 in subsection (1) of this section, for a reason other than a recount or  
16 litigation, the county auditor, in consultation with the certification  
17 and training program of the office of the secretary of state, shall  
18 submit a report to the office of the secretary of state outlining why  
19 the deadline was missed and what corrective actions will be taken in  
20 future elections to ensure that absentee ballots are available and  
21 mailed as prescribed in subsection (1) of this section.

22 (6) Failure to have absentee ballots available and mailed as  
23 prescribed in subsection (1) of this section does not by itself provide  
24 a basis for an election contest or other legal challenge to the results  
25 of a primary, general election, or special election.

26 **Sec. 14.** RCW 29A.52.011 and 2004 c 271 s 172 are each amended to  
27 read as follows:

28 Whenever it shall be necessary to hold a special election in an  
29 odd-numbered year to fill an unexpired term of any office which is  
30 scheduled to be voted upon for a full term in an even-numbered year, no  
31 ((September)) primary election shall be held in the odd-numbered year  
32 if, after the last day allowed for candidates to withdraw, either of  
33 the following circumstances exist:

34 (1) No more than one candidate of each qualified political party  
35 has filed a declaration of candidacy for the same partisan office to be  
36 filled; or

1 (2) No more than two candidates have filed a declaration of  
2 candidacy for a single nonpartisan office to be filled.

3 In either event, the officer with whom the declarations of  
4 candidacy were filed shall immediately notify all candidates concerned  
5 and the names of the candidates that would have been printed upon the  
6 (~~September~~) primary ballot, but for the provisions of this section,  
7 shall be printed as nominees for the positions sought upon the November  
8 general election ballot.

9 **Sec. 15.** RCW 29A.56.030 and 2003 c 111 s 1403 are each amended to  
10 read as follows:

11 The name of any candidate for a major political party nomination  
12 for president of the United States shall be printed on the presidential  
13 preference primary ballot of a major political party only:

14 (1) By direction of the secretary of state, who in the secretary's  
15 sole discretion has determined that the candidate's candidacy is  
16 generally advocated or is recognized in national news media; or

17 (2) If members of the political party of the candidate have  
18 presented a petition for nomination of the candidate that has attached  
19 to the petition a sheet or sheets containing the signatures of at least  
20 one thousand registered voters who declare themselves in the petition  
21 as being affiliated with the same political party as the presidential  
22 candidate. The petition shall be filed with the secretary of state not  
23 later than (~~the thirty-ninth day~~) sixty days before the presidential  
24 preference primary. The signature sheets shall also contain the  
25 residence address and name or number of the precinct of each registered  
26 voter whose signature appears thereon and shall be certified in the  
27 manner prescribed in RCW 29A.72.230 and 29A.72.240.

28 The secretary of state shall place the name of the candidate on the  
29 ballot unless the candidate, at least (~~thirty-five~~) fifty-two days  
30 before the presidential preference primary, executes and files with the  
31 secretary of state an affidavit stating without qualification that he  
32 or she is not now and will not become a candidate for the office of  
33 president of the United States at the forthcoming presidential  
34 election. The secretary of state shall certify the names of all  
35 candidates who will appear on the presidential preference primary  
36 ballot to the respective county auditors on or before the fourth  
37 Tuesday in April of each presidential election year.

1       **Sec. 16.** RCW 29A.60.190 and 2005 c 243 s 16 and 2005 c 153 s 12  
2 are each reenacted and amended to read as follows:

3       (1) Except as provided by subsection (3) of this section, (~~ten~~)  
4 fifteen days after a primary or special election and twenty-one days  
5 after a general election, the county canvassing board shall complete  
6 the canvass and certify the results. Each absentee ballot that was  
7 returned before the closing of the polls (~~on the date of the primary~~  
8 ~~or election for which it was issued~~), and each absentee ballot  
9 (~~with~~) bearing a postmark on or before the date of the primary or  
10 election (~~for which it was issued~~) and received on or before the date  
11 on which the primary or election is certified, must be included in the  
12 canvass report.

13       (2) At the request of a caucus of the state legislature, the county  
14 auditor shall transmit copies of all unofficial returns of state and  
15 legislative primaries or elections prepared by or for the county  
16 canvassing board to either the secretary of the senate or the chief  
17 clerk of the house of representatives.

18       (3) On or before the thirtieth day after an election conducted  
19 under the instant runoff voting method for the pilot project authorized  
20 by RCW 29A.53.020, the canvassing board shall complete the canvass and  
21 certify the results.

22       **Sec. 17.** RCW 29A.60.190 and 2005 c 243 s 16 are each amended to  
23 read as follows:

24       (1) (~~Ten~~) Fifteen days after a primary or special election and  
25 twenty-one days after a general election, the county canvassing board  
26 shall complete the canvass and certify the results. Each absentee  
27 ballot that was returned before the closing of the polls (~~on the date~~  
28 ~~of the primary or election for which it was issued~~), and each absentee  
29 ballot (~~with~~) bearing a postmark on or before the date of the primary  
30 or election (~~for which it was issued~~) and received on or before the  
31 date on which the primary or election is certified, must be included in  
32 the canvass report.

33       (2) At the request of a caucus of the state legislature, the county  
34 auditor shall transmit copies of all unofficial returns of state and  
35 legislative primaries or elections prepared by or for the county  
36 canvassing board to either the secretary of the senate or the chief  
37 clerk of the house of representatives.

1           **Sec. 18.** RCW 27.12.355 and 1987 c 138 s 1 are each amended to read  
2 as follows:

3           (1) As provided in this section, a rural county library district,  
4 island library district, or intercounty rural library district may  
5 withdraw areas from its boundaries, or reannex areas into the library  
6 district that previously had been withdrawn from the library district  
7 under this section.

8           (2) The withdrawal of an area shall be authorized upon: (a)  
9 Adoption of a resolution by the board of trustees requesting the  
10 withdrawal and finding that, in the opinion of the board, inclusion of  
11 this area within the library district will result in a reduction of the  
12 district's tax levy rate under the provisions of RCW 84.52.010; and (b)  
13 adoption of a resolution by the city or town council approving the  
14 withdrawal, if the area is located within the city or town, or adoption  
15 of a resolution by the county legislative authority of the county  
16 within which the area is located approving the withdrawal, if the area  
17 is located outside of a city or town. A withdrawal shall be effective  
18 at the end of the day on the thirty-first day of December in the year  
19 in which the resolutions are adopted, but for purposes of establishing  
20 boundaries for property tax purposes, the boundaries shall be  
21 established immediately upon the adoption of the second resolution.

22           The authority of an area to be withdrawn from a library district as  
23 provided under this section is in addition, and not subject, to the  
24 provisions of RCW 27.12.380.

25           The withdrawal of an area from the boundaries of a library district  
26 shall not exempt any property therein from taxation for the purpose of  
27 paying the costs of redeeming any indebtedness of the library district  
28 existing at the time of the withdrawal.

29           (3) An area that has been withdrawn from the boundaries of a  
30 library district under this section may be reannexed into the library  
31 district upon: (a) Adoption of a resolution by the board of trustees  
32 proposing the reannexation; and (b) adoption of a resolution by the  
33 city or town council approving the reannexation, if the area is located  
34 within the city or town, or adoption of a resolution by the county  
35 legislative authority of the county within which the area is located  
36 approving the reannexation, if the area is located outside of a city or  
37 town. The reannexation shall be effective at the end of the day on the  
38 thirty-first day of December in the year in which the adoption of the

1 second resolution occurs, but for purposes of establishing boundaries  
2 for property tax purposes, the boundaries shall be established  
3 immediately upon the adoption of the second resolution. Referendum  
4 action on the proposed reannexation may be taken by the voters of the  
5 area proposed to be reannexed if a petition calling for a referendum is  
6 filed with the city or town council, or county legislative authority,  
7 within a thirty-day period after the adoption of the second resolution,  
8 which petition has been signed by registered voters of the area  
9 proposed to be reannexed equal in number to ten percent of the total  
10 number of the registered voters residing in that area.

11 If a valid petition signed by the requisite number of registered  
12 voters has been so filed, the effect of the resolutions shall be held  
13 in abeyance and a ballot proposition to authorize the reannexation  
14 shall be submitted to the voters of the area at the next special  
15 election date (~~(specified in RCW 29.13.020 that occurs forty five or~~  
16 ~~more days after the petitions have been validated)~~) according to RCW  
17 29A.04.330. Approval of the ballot proposition authorizing the  
18 reannexation by a simple majority vote shall authorize the  
19 reannexation.

20 **Sec. 19.** RCW 27.12.370 and 1982 c 123 s 14 are each amended to  
21 read as follows:

22 The county legislative authority or authorities shall by resolution  
23 call a special election to be held in such city or town at the next  
24 special election date (~~(provided in RCW 29.13.010 but not less than~~  
25 ~~forty five days from the date of the declaration of such finding)~~)  
26 according to RCW 29A.04.321, and shall cause notice of such election to  
27 be given as provided for in RCW (~~(29.27.080)~~) 29A.52.351.

28 The election on the annexation of the city or town into the library  
29 district shall be conducted by the auditor of the county or counties in  
30 which the city or town is located in accordance with the general  
31 election laws of the state and the results thereof shall be canvassed  
32 by the canvassing board of the county or counties. No person shall be  
33 entitled to vote at such election unless he or she is registered to  
34 vote in said city or town for at least thirty days preceding the date  
35 of the election. The ballot proposition shall be in substantially the  
36 following form:

1 "Shall the city or town of . . . . . be annexed to and be  
2 a part of . . . . . library district?  
3 YES .....   
4 NO .....

5 If a majority of the persons voting on the proposition shall vote  
6 in favor thereof, the city or town shall thereupon be annexed and shall  
7 be a part of such library district.

8 **Sec. 20.** RCW 35.02.086 and 1986 c 234 s 11 are each amended to  
9 read as follows:

10 Each candidate for a city or town elective position shall file a  
11 declaration of candidacy with the county auditor of the county in which  
12 all or the major portion of the city or town is located(~~(, not more~~  
13 ~~than forty five nor less than thirty days)) prior to the primary  
14 election at which the initial elected officials are nominated,  
15 according to RCW 29A.24.050. The elective positions shall be as  
16 provided in law for the type of city or town and form or plan of  
17 government specified in the petition to incorporate, and for the  
18 population of the city or town as determined by the county legislative  
19 authority or boundary review board where applicable. Any candidate may  
20 withdraw his or her declaration (~~(at any time within five days after~~  
21 ~~the last day allowed for filing declaration of candidacy)) according to  
22 RCW 29A.24.131. All names of candidates to be voted upon shall be  
23 printed upon the ballot alphabetically in groups under the designation  
24 of the respective titles of offices for which they are candidates.  
25 Names of candidates printed upon the ballot need not be rotated.~~~~

26 **Sec. 21.** RCW 35.06.070 and 1994 c 81 s 8 are each amended to read  
27 as follows:

28 A ballot proposition authorizing an advancement in classification  
29 of a town to a second class city shall be submitted to the voters of  
30 the town if either: (1) Petitions proposing the advancement are  
31 submitted to the town clerk that have been signed by voters of the town  
32 equal in number to at least ten percent of the voters of the town  
33 voting at the last municipal general election; or (2) the town council  
34 adopts a resolution proposing the advancement. The clerk shall  
35 immediately forward the petitions to the county auditor who shall  
36 review the signatures and certify the sufficiency of the petitions.

1 A ballot proposition authorizing an advancement shall be submitted  
2 to the town voters at the next (~~municipal general~~) special election  
3 (~~occurring forty five or more days after the petitions are submitted~~)  
4 date according to RCW 29A.04.330 if the county auditor certifies the  
5 petitions as having sufficient valid signatures. The town shall be  
6 advanced to a second class city if the ballot proposition is approved  
7 by a simple majority vote, effective when the corporation is actually  
8 reorganized and the new officers are elected and qualified. The county  
9 auditor shall notify the secretary of state if the advancement of a  
10 town to a second class city is approved.

11 **Sec. 22.** RCW 35.13.1821 and 1998 c 286 s 2 are each amended to  
12 read as follows:

13 The annexation ordinance provided for in RCW 35.13.182 is subject  
14 to referendum for forty-five days after its passage. Upon the filing  
15 of a timely and sufficient referendum petition with the legislative  
16 body, signed by qualified electors in number equal to not less than ten  
17 percent of the votes cast in the last general state election in the  
18 area to be annexed, the question of annexation shall be submitted to  
19 the voters of the area in a general election if one is to be held  
20 within ninety days or at a special election called for that purpose  
21 (~~not less than forty five days nor more than ninety days after the~~  
22 ~~filing of the referendum petition~~) according to RCW 29A.04.330.  
23 Notice of the election shall be given as provided in RCW 35.13.080 and  
24 the election shall be conducted as provided in the general election  
25 law. The annexation shall be deemed approved by the voters unless a  
26 majority of the votes cast on the proposition are in opposition  
27 thereto.

28 After the expiration of the forty-fifth day from but excluding the  
29 date of passage of the annexation ordinance, if no timely and  
30 sufficient referendum petition has been filed, the area annexed shall  
31 become a part of the city or town upon the date fixed in the ordinance  
32 of annexation.

33 **Sec. 23.** RCW 35.13.480 and 2003 c 299 s 2 are each amended to read  
34 as follows:

35 (1) The legislative body of any county planning under chapter  
36 36.70A RCW and subject to the requirements of RCW 36.70A.215 may

1 initiate an annexation process with the legislative body of any other  
2 cities or towns that are contiguous to the territory proposed for  
3 annexation in RCW 35.13.470 if:

4 (a) The county legislative body initiated an annexation process as  
5 provided in RCW 35.13.470; and

6 (b) The affected city or town legislative body adopted a responsive  
7 resolution rejecting the proposed annexation or declined to create the  
8 requested interlocal agreement with the county; or

9 (c) More than one hundred eighty days have passed since adoption of  
10 a county resolution as provided for in RCW 35.13.470 and the parties  
11 have not adopted or executed an interlocal agreement providing for the  
12 annexation of unincorporated territory. The legislative body for  
13 either the county or an affected city or town may, however, pass a  
14 resolution extending the negotiation period for one or more six-month  
15 periods if a public hearing is held and findings of fact are made prior  
16 to each extension.

17 (2) Any county initiating the process provided for in subsection  
18 (1) of this section must do so by adopting a resolution commencing  
19 negotiations for an interlocal agreement as provided in chapter 39.34  
20 RCW between the county and any city or town within the county. The  
21 annexation area must be within an urban growth area designated under  
22 RCW 36.70A.110 and at least sixty percent of the boundaries of the  
23 territory to be annexed must be contiguous to one or more cities or  
24 towns.

25 (3) The agreement shall describe the boundaries of the territory to  
26 be annexed. A public hearing shall be held by each legislative body,  
27 separately or jointly, before the agreement is executed. Each  
28 legislative body holding a public hearing shall, separately or jointly,  
29 publish the agreement at least once a week for two weeks before the  
30 date of the hearing in one or more newspapers of general circulation  
31 within the territory proposed for annexation.

32 (4) Following adoption and execution of the agreement by both  
33 legislative bodies, the city or town legislative body shall adopt an  
34 ordinance providing for the annexation. The legislative body shall  
35 cause notice of the proposed effective date of the annexation, together  
36 with a description of the property to be annexed, to be published at  
37 least once each week for two weeks subsequent to passage of the  
38 ordinance, in one or more newspapers of general circulation within the

1 city and in one or more newspapers of general circulation within the  
2 territory to be annexed. If the annexation ordinance provides for  
3 assumption of indebtedness or adoption of a proposed zoning regulation,  
4 the notice shall include a statement of the requirements. Any area to  
5 be annexed through an ordinance adopted under this section is annexed  
6 and becomes a part of the city or town upon the date fixed in the  
7 ordinance of annexation, which date may not be less than forty-five  
8 days after adoption of the ordinance.

9 (5) The annexation ordinances provided for in RCW 35.13.470(4) and  
10 subsection (4) of this section are subject to referendum for forty-five  
11 days after passage. Upon the filing of a timely and sufficient  
12 referendum petition with the legislative body, signed by registered  
13 voters in number equal to not less than fifteen percent of the votes  
14 cast in the last general state election in the area to be annexed, the  
15 question of annexation shall be submitted to the voters of the area in  
16 a general election if one is to be held within ninety days or at a  
17 special election called for that purpose (~~not less than forty-five~~  
18 ~~days nor more than ninety days after the filing of the referendum~~  
19 ~~petition~~) according to RCW 29A.04.330. Notice of the election shall  
20 be given as provided in RCW 35.13.080 and the election shall be  
21 conducted as provided in the general election law. The annexation  
22 shall be deemed approved by the voters unless a majority of the votes  
23 cast on the proposition are in opposition thereto.

24 After the expiration of the forty-fifth day from but excluding the  
25 date of passage of the annexation ordinance, if no timely and  
26 sufficient referendum petition has been filed, the area annexed shall  
27 become a part of the city or town upon the date fixed in the ordinance  
28 of annexation.

29 (6) If more than one city or town adopts interlocal agreements  
30 providing for annexation of the same unincorporated territory as  
31 provided by this section, an election shall be held in the area to be  
32 annexed pursuant to RCW 35.13.070 and 35.13.080. In addition to the  
33 provisions of RCW 35.13.070 and 35.13.080, the ballot shall also  
34 contain a separate proposition allowing voters to cast votes in favor  
35 of annexation to any one city or town participating in an interlocal  
36 agreement as provided by this section. If a majority of voters voting  
37 on the proposition vote against annexation, the proposition is  
38 defeated. If, however, a majority of voters voting in the election

1 approve annexation, the area shall be annexed to the city or town  
2 receiving the highest number of votes among those cast in favor of  
3 annexation.

4 (7) Costs for an election required under subsection (6) of this  
5 section shall be borne by the county.

6 **Sec. 24.** RCW 35.61.360 and 1987 c 138 s 2 are each amended to read  
7 as follows:

8 (1) As provided in this section, a metropolitan park district may  
9 withdraw areas from its boundaries, or reannex areas into the  
10 metropolitan park district that previously had been withdrawn from the  
11 metropolitan park district under this section.

12 (2) The withdrawal of an area shall be authorized upon: (a)  
13 Adoption of a resolution by the park district commissioners requesting  
14 the withdrawal and finding that, in the opinion of the commissioners,  
15 inclusion of this area within the metropolitan park district will  
16 result in a reduction of the district's tax levy rate under the  
17 provisions of RCW 84.52.010; and (b) adoption of a resolution by the  
18 city or town council approving the withdrawal, if the area is located  
19 within the city or town, or adoption of a resolution by the county  
20 legislative authority of the county within which the area is located  
21 approving the withdrawal, if the area is located outside of a city or  
22 town. A withdrawal shall be effective at the end of the day on the  
23 thirty-first day of December in the year in which the resolutions are  
24 adopted, but for purposes of establishing boundaries for property tax  
25 purposes, the boundaries shall be established immediately upon the  
26 adoption of the second resolution.

27 The withdrawal of an area from the boundaries of a metropolitan  
28 park district shall not exempt any property therein from taxation for  
29 the purpose of paying the costs of redeeming any indebtedness of the  
30 metropolitan park district existing at the time of the withdrawal.

31 (3) An area that has been withdrawn from the boundaries of a  
32 metropolitan park district under this section may be reannexed into the  
33 metropolitan park district upon: (a) Adoption of a resolution by the  
34 park district commissioners proposing the reannexation; and (b)  
35 adoption of a resolution by the city or town council approving the  
36 reannexation, if the area is located within the city or town, or  
37 adoption of a resolution by the county legislative authority of the

1 county within which the area is located approving the reannexation, if  
2 the area is located outside of a city or town. The reannexation shall  
3 be effective at the end of the day on the thirty-first day of December  
4 in the year in which the adoption of the second resolution occurs, but  
5 for purposes of establishing boundaries for property tax purposes, the  
6 boundaries shall be established immediately upon the adoption of the  
7 second resolution. Referendum action on the proposed reannexation may  
8 be taken by the voters of the area proposed to be reannexed if a  
9 petition calling for a referendum is filed with the city or town  
10 council, or county legislative authority, within a thirty-day period  
11 after the adoption of the second resolution, which petition has been  
12 signed by registered voters of the area proposed to be reannexed equal  
13 in number to ten percent of the total number of the registered voters  
14 residing in that area.

15 If a valid petition signed by the requisite number of registered  
16 voters has been so filed, the effect of the resolutions shall be held  
17 in abeyance and a ballot proposition to authorize the reannexation  
18 shall be submitted to the voters of the area at the next special  
19 election date (~~(specified in RCW 29.13.020 that occurs forty five or~~  
20 ~~more days after the petitions have been validated)~~) according to RCW  
21 29A.04.330. Approval of the ballot proposition authorizing the  
22 reannexation by a simple majority vote shall authorize the  
23 reannexation.

24 **Sec. 25.** RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each  
25 amended to read as follows:

26 Such annexation ordinance as provided for in RCW 35A.14.297 shall  
27 be subject to referendum for forty-five days after the passage thereof.  
28 Upon the filing of a timely and sufficient referendum petition with the  
29 legislative body, signed by qualified electors in number equal to not  
30 less than ten percent of the votes cast in the last general state  
31 election in the area to be annexed, the question of annexation shall be  
32 submitted to the voters of such area in a general election if one is to  
33 be held within ninety days or at a special election called for that  
34 purpose (~~(not less than forty five days nor more than ninety days after~~  
35 ~~the filing of the referendum petition)~~) according to RCW 29A.04.330.  
36 Notice of such election shall be given as provided in RCW 35A.14.070  
37 and the election shall be conducted as provided in RCW (~~(35A.14.060)~~)

1 35A.29.151. The annexation shall be deemed approved by the voters  
2 unless a majority of the votes cast on the proposition are in  
3 opposition thereto.

4 After the expiration of the forty-fifth day from but excluding the  
5 date of passage of the annexation ordinance, if no timely and  
6 sufficient referendum petition has been filed, the area annexed shall  
7 become a part of the code city upon the date fixed in the ordinance of  
8 annexation. From and after such date, if the ordinance so provided,  
9 property in the annexed area shall be subject to the proposed zoning  
10 regulation prepared and filed for such area as provided in RCW  
11 35A.14.330 and 35A.14.340. If the ordinance so provided, all property  
12 within the area annexed shall be assessed and taxed at the same rate  
13 and on the same basis as the property of such annexing code city is  
14 assessed and taxed to pay for any then outstanding indebtedness of such  
15 city contracted prior to, or existing at, the date of annexation.

16 **Sec. 26.** RCW 35A.14.470 and 2003 c 299 s 4 are each amended to  
17 read as follows:

18 (1) The legislative body of any county planning under chapter  
19 36.70A RCW and subject to the requirements of RCW 36.70A.215 may  
20 initiate an annexation process with the legislative body of any other  
21 cities or towns that are contiguous to the territory proposed for  
22 annexation in RCW 35A.14.460 if:

23 (a) The county legislative body initiated an annexation process as  
24 provided in RCW 35A.14.460; and

25 (b) The affected city legislative body adopted a responsive  
26 resolution rejecting the proposed annexation or declined to create the  
27 requested interlocal agreement with the county; or

28 (c) More than one hundred eighty days have passed since adoption of  
29 a county resolution as provided for in RCW 35A.14.460 and the parties  
30 have not adopted or executed an interlocal agreement providing for the  
31 annexation of unincorporated territory. The legislative body for  
32 either the county or an affected city may, however, pass a resolution  
33 extending the negotiation period for one or more six-month periods if  
34 a public hearing is held and findings of fact are made prior to each  
35 extension.

36 (2) Any county initiating the process provided for in subsection  
37 (1) of this section must do so by adopting a resolution commencing

1 negotiations for an interlocal agreement as provided in chapter 39.34  
2 RCW between the county and any city or town within the county. The  
3 annexation area must be within an urban growth area designated under  
4 RCW 36.70A.110 and at least sixty percent of the boundaries of the  
5 territory to be annexed must be contiguous to one or more cities or  
6 towns.

7 (3) The agreement shall describe the boundaries of the territory to  
8 be annexed. A public hearing shall be held by each legislative body,  
9 separately or jointly, before the agreement is executed. Each  
10 legislative body holding a public hearing shall, separately or jointly,  
11 publish the agreement at least once a week for two weeks before the  
12 date of the hearing in one or more newspapers of general circulation  
13 within the territory proposed for annexation.

14 (4) Following adoption and execution of the agreement by both  
15 legislative bodies, the city or town legislative body shall adopt an  
16 ordinance providing for the annexation. The legislative body shall  
17 cause notice of the proposed effective date of the annexation, together  
18 with a description of the property to be annexed, to be published at  
19 least once each week for two weeks subsequent to passage of the  
20 ordinance, in one or more newspapers of general circulation within the  
21 city and in one or more newspapers of general circulation within the  
22 territory to be annexed. If the annexation ordinance provides for  
23 assumption of indebtedness or adoption of a proposed zoning regulation,  
24 the notice shall include a statement of the requirements. Any area to  
25 be annexed through an ordinance adopted under this section is annexed  
26 and becomes a part of the city or town upon the date fixed in the  
27 ordinance of annexation, which date may not be less than forty-five  
28 days after adoption of the ordinance.

29 (5) The annexation ordinances provided for in RCW 35A.14.460(4) and  
30 subsection (4) of this section are subject to referendum for forty-five  
31 days after passage. Upon the filing of a timely and sufficient  
32 referendum petition with the legislative body, signed by registered  
33 voters in number equal to not less than fifteen percent of the votes  
34 cast in the last general state election in the area to be annexed, the  
35 question of annexation shall be submitted to the voters of the area in  
36 a general election if one is to be held within ninety days or at a  
37 special election called for that purpose (~~not less than forty five~~  
38 ~~days nor more than ninety days after the filing of the referendum~~

petition)) according to RCW 29A.04.330. Notice of the election shall be given as provided in RCW 35A.14.070 and the election shall be conducted as provided in the general election law. The annexation shall be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto.

After the expiration of the forty-fifth day from but excluding the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the city or town upon the date fixed in the ordinance of annexation.

(6) If more than one city or town adopts interlocal agreements providing for annexation of the same unincorporated territory as provided by this section, an election shall be held in the area to be annexed pursuant to RCW 35A.14.070. In addition to the provisions of RCW 35A.14.070, the ballot shall also contain a separate proposition allowing voters to cast votes in favor of annexation to any one city or town participating in an interlocal agreement as provided by this section. If a majority of voters voting on the proposition vote against annexation, the proposition is defeated. If, however, a majority of voters voting in the election approve annexation, the area shall be annexed to the city or town receiving the highest number of votes among those cast in favor of annexation.

(7) Costs for an election required under subsection (6) of this section shall be borne by the county.

**Sec. 27.** RCW 36.24.190 and 1996 c 108 s 2 are each amended to read as follows:

In a county with a population of two hundred fifty thousand or more, the county legislative authority may, upon majority vote at an election called by the county legislative authority, adopt a system under which a medical examiner may be appointed to replace the office of the coroner. The county legislative authority must adopt a resolution or ordinance that creates the office of medical examiner at least thirty days prior to the first day of filing for the primary election for county offices. If a county adopts such a resolution or ordinance, the resolution or ordinance shall be referred to the voters for confirmation or rejection at the next date for a special election (~~that is more than forty five days from the date the resolution or~~

1 ~~ordinance was adopted~~) according to RCW 29A.04.321. If the resolution  
2 or ordinance is approved by majority vote, no election shall be held  
3 for the position of coroner and the coroner's position is abolished  
4 following the expiration of the coroner's term of office or upon  
5 vacating of the office of the coroner for any reason. The county  
6 legislative authority shall appoint a medical examiner to assume the  
7 statutory duties performed by the county coroner and the appointment  
8 shall become effective following the expiration of the coroner's term  
9 of office or upon the vacating of the office of the coroner. To be  
10 appointed as a medical examiner pursuant to this section, a person must  
11 either be: (1) Certified as a forensic pathologist by the American  
12 board of pathology; or (2) a qualified physician eligible to take the  
13 American board of pathology exam in forensic pathology within one year  
14 of being appointed. A physician specializing in pathology who is  
15 appointed to the position of medical examiner and who is not certified  
16 as a forensic pathologist must pass the pathology exam within three  
17 years of the appointment.

18 **Sec. 28.** RCW 36.93.030 and 1991 c 363 s 91 are each amended to  
19 read as follows:

20 (1) There is hereby created and established in each county with a  
21 population of two hundred ten thousand or more a board to be known and  
22 designated as a "boundary review board".

23 (2) A boundary review board may be created and established in any  
24 other county in the following manner:

25 (a) The county legislative authority may, by majority vote, adopt  
26 a resolution establishing a boundary review board; or

27 (b) A petition seeking establishment of a boundary review board  
28 signed by qualified electors residing in the county equal in number to  
29 at least five percent of the votes cast in the county at the last  
30 county general election may be filed with the county auditor.

31 Upon the filing of such a petition, the county auditor shall  
32 examine the same and certify to the sufficiency of the signatures  
33 thereon. No person may withdraw his or her name from a petition after  
34 it has been filed with the auditor. Within thirty days after the  
35 filing of such petition, the county auditor shall transmit the same to  
36 the county legislative authority, together with his or her certificate  
37 of sufficiency.

1 After receipt of a valid petition for the establishment of a  
2 boundary review board, the county legislative authority shall submit  
3 the question of whether a boundary review board should be established  
4 to the electorate at the next (~~county~~) primary or (~~county~~) general  
5 election (~~which occurs more than forty five days from the date of~~  
6 ~~receipt of the petition~~) according to RCW 29A.04.321. Notice of the  
7 election shall be given as provided in RCW (~~29.27.080~~) 29A.52.351 and  
8 shall include a clear statement of the proposal to be submitted.

9 If a majority of the persons voting on the proposition shall vote  
10 in favor of the establishment of the boundary review board, such board  
11 shall thereupon be deemed established.

12 **Sec. 29.** RCW 42.12.040 and 2003 c 238 s 4 are each amended to read  
13 as follows:

14 (1) If a vacancy occurs in any partisan elective office in the  
15 executive or legislative branches of state government or in any  
16 partisan county elective office before the (~~sixth~~) eleventh Tuesday  
17 prior to the primary for the next general election following the  
18 occurrence of the vacancy, a successor shall be elected to that office  
19 at that general election. Except during the last year of the term of  
20 office, if such a vacancy occurs on or after the (~~sixth~~) eleventh  
21 Tuesday prior to the primary for that general election, the election of  
22 the successor shall occur at the next succeeding general election. The  
23 elected successor shall hold office for the remainder of the unexpired  
24 term. This section shall not apply to any vacancy occurring in a  
25 charter county which has charter provisions inconsistent with this  
26 section.

27 (2) If a vacancy occurs in any legislative office or in any  
28 partisan county office after the general election in a year that the  
29 position appears on the ballot and before the start of the next term,  
30 the term of the successor who is of the same party as the incumbent may  
31 commence once he or she has qualified as defined in RCW (~~29.01.135~~)  
32 29A.04.133 and shall continue through the term for which he or she was  
33 elected.

34 **Sec. 30.** RCW 42.17.080 and 2005 c 184 s 1 are each amended to read  
35 as follows:

36 (1) On the day the treasurer is designated, each candidate or

1 political committee shall file with the commission and the county  
2 auditor or elections officer of the county in which the candidate  
3 resides, or in the case of a political committee, the county in which  
4 the treasurer resides, in addition to any statement of organization  
5 required under RCW 42.17.040 or 42.17.050, a report of all  
6 contributions received and expenditures made prior to that date, if  
7 any.

8 (2) At the following intervals each treasurer shall file with the  
9 commission and the county auditor or elections officer of the county in  
10 which the candidate resides, or in the case of a political committee,  
11 the county in which the committee maintains its office or headquarters,  
12 and if there is no office or headquarters then in the county in which  
13 the treasurer resides, a report containing the information required by  
14 RCW 42.17.090:

15 (a) On the twenty-first day and the seventh day immediately  
16 preceding the date on which the election is held; and

17 (b) On the tenth day of the first month after the election(~~(+~~  
18 ~~PROVIDED, That this report shall not be required following a primary~~  
19 ~~election from:~~

20 ~~(i) A candidate whose name will appear on the subsequent general~~  
21 ~~election ballot; or~~

22 ~~(ii) Any continuing political committee)); and~~

23 (c) On the tenth day of each month in which no other reports are  
24 required to be filed under this section: PROVIDED, That such report  
25 shall only be filed if the committee has received a contribution or  
26 made an expenditure in the preceding calendar month and either the  
27 total contributions received or total expenditures made since the last  
28 such report exceed two hundred dollars.

29 When there is no outstanding debt or obligation, and the campaign  
30 fund is closed, and the campaign is concluded in all respects, and in  
31 the case of a political committee, the committee has ceased to function  
32 and has dissolved, the treasurer shall file a final report. Upon  
33 submitting a final report, the duties of the treasurer shall cease and  
34 there shall be no obligation to make any further reports.

35 The report filed twenty-one days before the election shall report  
36 all contributions received and expenditures made as of the end of the  
37 fifth business day before the date of the report. The report filed  
38 seven days before the election shall report all contributions received

1 and expenditures made as of the end of the one business day before the  
2 date of the report. Reports filed on the tenth day of the month shall  
3 report all contributions received and expenditures made from the  
4 closing date of the last report filed through the last day of the month  
5 preceding the date of the current report.

6 (3) For the period beginning the first day of the fourth month  
7 preceding the date on which the special (~~or general~~) election is  
8 held, or for the period beginning the first day of the fifth month  
9 before the date on which the general election is held, and ending on  
10 the date of that special or general election, each Monday the treasurer  
11 shall file with the commission and the appropriate county elections  
12 officer a report of each bank deposit made during the previous seven  
13 calendar days. The report shall contain the name of each person  
14 contributing the funds so deposited and the amount contributed by each  
15 person. However, contributions of no more than twenty-five dollars in  
16 the aggregate from any one person may be deposited without identifying  
17 the contributor. A copy of the report shall be retained by the  
18 treasurer for his or her records. In the event of deposits made by a  
19 deputy treasurer, the copy shall be forwarded to the treasurer for his  
20 or her records. Each report shall be certified as correct by the  
21 treasurer or deputy treasurer making the deposit.

22 (4) If a city requires that candidates or committees for city  
23 offices file reports with a city agency, the candidate or treasurer so  
24 filing need not also file the report with the county auditor or  
25 elections officer.

26 (5) The treasurer or candidate shall maintain books of account  
27 accurately reflecting all contributions and expenditures on a current  
28 basis within five business days of receipt or expenditure. During the  
29 eight days immediately preceding the date of the election the books of  
30 account shall be kept current within one business day. As specified in  
31 the committee's statement of organization filed under RCW 42.17.040,  
32 the books of account must be open for public inspection by appointment  
33 at the designated place for inspections between 8:00 a.m. and 8:00 p.m.  
34 on any day from the eighth day immediately before the election through  
35 the day immediately before the election, other than Saturday, Sunday,  
36 or a legal holiday. It is a violation of this chapter for a candidate  
37 or political committee to refuse to allow and keep an appointment for  
38 an inspection to be conducted during these authorized times and days.

1 The appointment must be allowed at an authorized time and day for such  
2 inspections that is within twenty-four hours of the time and day that  
3 is requested for the inspection.

4 (6) The treasurer or candidate shall preserve books of account,  
5 bills, receipts, and all other financial records of the campaign or  
6 political committee for not less than five calendar years following the  
7 year during which the transaction occurred.

8 (7) All reports filed pursuant to subsection (1) or (2) of this  
9 section shall be certified as correct by the candidate and the  
10 treasurer.

11 (8) Copies of all reports filed pursuant to this section shall be  
12 readily available for public inspection for at least two consecutive  
13 hours Monday through Friday, excluding legal holidays, between 8:00  
14 a.m. and 8:00 p.m., as specified in the committee's statement of  
15 organization filed pursuant to RCW 42.17.040, at the principal  
16 headquarters or, if there is no headquarters, at the address of the  
17 treasurer or such other place as may be authorized by the commission.

18 (9) After January 1, 2002, a report that is filed with the  
19 commission electronically need not also be filed with the county  
20 auditor or elections officer.

21 (10) The commission shall adopt administrative rules establishing  
22 requirements for filer participation in any system designed and  
23 implemented by the commission for the electronic filing of reports.

24 **Sec. 31.** RCW 42.17.710 and 2003 c 164 s 3 are each amended to read  
25 as follows:

26 (1) During the period beginning on (~~the thirtieth day~~) December  
27 24th before the date a regular legislative session convenes and  
28 continuing (~~thirty days past~~) through the date of final adjournment,  
29 and during the period beginning on the date a special legislative  
30 session convenes and continuing through the date that session adjourns,  
31 no state official or a person employed by or acting on behalf of a  
32 state official or state legislator may solicit or accept contributions  
33 to a public office fund, to a candidate or authorized committee, or to  
34 retire a campaign debt.

35 (2) This section does not apply to activities authorized in RCW  
36 43.07.370.

1       **Sec. 32.** RCW 52.02.080 and 1989 c 63 s 6 are each amended to read  
2 as follows:

3       The election on the formation of the district and to elect the  
4 initial fire commissioners shall be conducted by the election officials  
5 of the county or counties in which the proposed district is located in  
6 accordance with the general election laws of the state. This election  
7 shall be held at the next general election date(~~(, as specified under~~  
8 ~~RCW 29.13.020)~~) according to RCW 29A.04.321 and 29A.04.330, that occurs  
9 (~~(forty five or more days)~~) after the date of the action by the  
10 boundary review board, or county legislative authority or authorities,  
11 approving the proposal.

12       **Sec. 33.** RCW 52.04.056 and 1989 c 63 s 11 are each amended to read  
13 as follows:

14       (1) As provided in this section, a fire protection district may  
15 withdraw areas from its boundaries, or reannex areas into the fire  
16 protection district that previously had been withdrawn from the fire  
17 protection district under this section.

18       (2) The withdrawal of an area shall be authorized upon: (a)  
19 Adoption of a resolution by the board of fire commissioners requesting  
20 the withdrawal and finding that, in the opinion of the board, inclusion  
21 of this area within the fire protection district will result in a  
22 reduction of the district's tax levy rate under the provisions of RCW  
23 84.52.010; and (b) adoption of a resolution by the city or town council  
24 approving the withdrawal, if the area is located within the city or  
25 town, or adoption of a resolution by the county legislative authority  
26 or authorities of the county or counties within which the area is  
27 located approving the withdrawal, if the area is located outside of a  
28 city or town. A withdrawal shall be effective at the end of the day on  
29 the thirty-first day of December in the year in which the resolutions  
30 are adopted, but for purposes of establishing boundaries for property  
31 tax purposes, the boundaries shall be established immediately upon the  
32 adoption of the second resolution.

33       The authority of an area to be withdrawn from a fire protection  
34 district as provided under this section is in addition, and not  
35 subject, to the provisions of RCW 52.04.101.

36       The withdrawal of an area from the boundaries of a fire protection

1 district shall not exempt any property therein from taxation for the  
2 purpose of paying the costs of redeeming any indebtedness of the fire  
3 protection district existing at the time of the withdrawal.

4 (3) An area that has been withdrawn from the boundaries of a fire  
5 protection district under this section may be reannexed into the fire  
6 protection district upon: (a) Adoption of a resolution by the board of  
7 fire commissioners proposing the reannexation; and (b) adoption of a  
8 resolution by the city or town council approving the reannexation, if  
9 the area is located within the city or town, or adoption of a  
10 resolution by the county legislative authority or authorities of the  
11 county or counties within which the area is located approving the  
12 reannexation, if the area is located outside of a city or town. The  
13 reannexation shall be effective at the end of the day on the thirty-  
14 first day of December in the year in which the adoption of the second  
15 resolution occurs, but for purposes of establishing boundaries for  
16 property tax purposes, the boundaries shall be established immediately  
17 upon the adoption of the second resolution. Referendum action on the  
18 proposed reannexation may be taken by the voters of the area proposed  
19 to be reannexed if a petition calling for a referendum is filed with  
20 the city or town council, or county legislative authority or  
21 authorities, within a thirty-day period after the adoption of the  
22 second resolution, which petition has been signed by registered voters  
23 of the area proposed to be reannexed equal in number to ten percent of  
24 the total number of the registered voters residing in that area.

25 If a valid petition signed by the requisite number of registered  
26 voters has been so filed, the effect of the resolutions shall be held  
27 in abeyance and a ballot proposition to authorize the reannexation  
28 shall be submitted to the voters of the area at the next special  
29 election date (~~(specified in RCW 29.13.020 that occurs forty five or~~  
30 ~~more days after the petitions have been validated)~~) according to RCW  
31 29A.04.330. Approval of the ballot proposition authorizing the  
32 reannexation by a simple majority vote shall authorize the  
33 reannexation.

34 **Sec. 34.** RCW 52.04.071 and 1984 c 230 s 16 are each amended to  
35 read as follows:

36 The county legislative authority or authorities shall by resolution  
37 call a special election to be held in the city or town and in the fire

1 protection district at the next date (~~provided in RCW 29.13.010 but~~  
2 ~~not less than forty five days from the date of the declaration of the~~  
3 ~~finding~~) according to RCW 29A.04.321, and shall cause notice of the  
4 election to be given as provided for in RCW (~~29.27.080~~) 29A.52.351.

5 The election on the annexation of the city or town into the fire  
6 protection district shall be conducted by the auditor of the county or  
7 counties in which the city or town and the fire protection district are  
8 located in accordance with the general election laws of the state. The  
9 results thereof shall be canvassed by the canvassing board of the  
10 county or counties. No person is entitled to vote at the election  
11 unless he or she is a qualified elector in the city or town or unless  
12 he or she is a qualified elector within the boundaries of the fire  
13 protection district. The ballot proposition shall be in substantially  
14 the following form:

15 "Shall the city or town of . . . . . be annexed to and be a part  
16 of . . . . . fire protection district?

17 YES . . . . .  
18 NO . . . . . "

19 If a majority of the persons voting on the proposition in the city  
20 or town and a majority of the persons voting on the proposition in the  
21 fire protection district vote in favor thereof, the city or town shall  
22 be annexed and shall be a part of the fire protection district.

23 **Sec. 35.** RCW 53.04.110 and 1998 c 240 s 1 are each amended to read  
24 as follows:

25 Any port district now existing or which may hereafter be organized  
26 under the laws of the state of Washington is hereby authorized to  
27 change its corporate name under the following conditions and in the  
28 following manner:

29 (1) On presentation(~~(, at least forty five days before any general~~  
30 ~~port election to be held in the port district,)~~) of a petition to the  
31 commissioners of any port district now existing or which may hereafter  
32 be established under the laws of the state of Washington, signed by at  
33 least ten percent of the total number of voters of the port district  
34 who voted at the last general port election and asking that the  
35 corporate name of the port district be changed, it shall be the duty of  
36 the commissioners to submit to the voters of the port district the

1 proposition as to whether the corporate name of the port shall be  
2 changed. The proposition shall be submitted at the next general port  
3 election according to RCW 29A.04.330.

4 (2) The petition shall contain the present corporate name of the  
5 port district and the corporate name which is proposed to be given to  
6 the port district.

7 (3) On submitting the proposition to the voters of the port  
8 district it shall be the duty of the port commissioners to cause to be  
9 printed on the official ballot used at the election the following  
10 proposition:

11 "Shall the corporate name, 'Port of .....' be  
12 changed to 'Port of .....'. YES  
13 "Shall the corporate name, 'Port of .....' be  
14 changed to 'Port of .....'. NO"

15 (4) At the time when the returns of the general election shall be  
16 canvassed by the commissioners of the port district, it shall be the  
17 duty of the commissioners to canvass the vote upon the proposition so  
18 submitted, recording in their record the result of the canvass.

19 (5) Should a majority of the registered voters of the port district  
20 voting at the general port election vote in favor of the proposition it  
21 shall be the duty of the port commissioners to certify the fact to the  
22 auditor of the county in which the port district shall be situated and  
23 to the secretary of state of the state of Washington, under the seal of  
24 the port district. On and after the filing of the certificate with the  
25 county auditor as aforesaid and with the secretary of state of the  
26 state of Washington, the corporate name of the port district shall be  
27 changed, and thenceforth the port district shall be known and  
28 designated in accordance therewith.

29 **Sec. 36.** RCW 54.08.010 and 1985 c 469 s 55 are each amended to  
30 read as follows:

31 At any general election held in an even-numbered year, the county  
32 legislative authority of any county in this state may, or, on petition  
33 of ten percent of the qualified electors of the county based on the  
34 total vote cast in the last general county election held in an even-  
35 numbered year, shall, by resolution, submit to the voters of the county  
36 the proposition of creating a public utility district which shall be

1 coextensive with the limits of the county as now or hereafter  
2 established. A form of petition for the creation of a public utility  
3 district shall be submitted to the county auditor within ten months  
4 prior to the election at which the proposition is to be submitted to  
5 the voters. Petitions shall be filed with the county auditor not less  
6 than four months before the election and the county auditor shall  
7 within thirty days examine the signatures thereof and certify to the  
8 sufficiency or insufficiency thereof. If the petition be found to be  
9 insufficient, it shall be returned to the persons filing the same, who  
10 may amend or add names thereto for ten days, when the same shall be  
11 returned to the county auditor, who shall have an additional fifteen  
12 days to examine the same and attach his certificate thereto. No person  
13 having signed the petition shall be allowed to withdraw his name  
14 therefrom after the filing of the same with the county auditor:  
15 PROVIDED, That each signature shall be dated and that no signature  
16 dated prior to the date on which the form of petition was submitted to  
17 the county auditor shall be valid. Whenever the petition shall be  
18 certified to as sufficient, the county auditor shall forthwith transmit  
19 the same, together with his certificate of sufficiency attached  
20 thereto, to the county legislative authority which shall submit the  
21 proposition to the voters of the county at the next general election in  
22 an even-numbered year (~~occurring forty five days after submission of~~  
23 ~~the proposition to the legislative authority~~) according to RCW  
24 29A.04.330. The notice of the election shall state the boundaries of  
25 the proposed public utility district and the object of such election,  
26 and shall in other respects conform to the requirements of the general  
27 laws of the state of Washington, governing the time and manner of  
28 holding elections. In submitting the question to the voters for their  
29 approval or rejection, the proposition shall be expressed on the ballot  
30 substantially in the following terms:

- 31 Public Utility District No. . . . . YES
- 32 Public Utility District No. . . . . NO

33 Any petition for the formation of a public utility district may  
34 describe a less area than the entire county in which the petition is  
35 filed, the boundaries of which shall follow the then existing precinct  
36 boundaries and not divide any voting precinct; and in the event that  
37 such a petition is filed the county legislative authority shall fix a  
38 date for a hearing on such petition, and shall publish the petition,

1 without the signatures thereto appended, for two weeks prior to the  
2 date of the hearing, together with a notice stating the time of the  
3 meeting when the petition will be heard. The publication, and all  
4 other publications required by chapter 1, Laws of 1931, shall be in a  
5 newspaper of general circulation in the county in which the district is  
6 situated. The hearing on the petition may be adjourned from time to  
7 time, not exceeding four weeks in all. If upon the final hearing the  
8 county legislative authority shall find that any lands have been  
9 unjustly or improperly included within the proposed public utility  
10 district and will not be benefited by inclusion therein, it shall  
11 change and fix the boundary lines in such manner as it shall deem  
12 reasonable and just and conducive to the public welfare and  
13 convenience, and make and enter an order establishing and defining the  
14 boundary lines of the proposed public utility district: PROVIDED, That  
15 no lands shall be included within the boundaries so fixed lying outside  
16 the boundaries described in the petition, except upon the written  
17 request of the owners of those lands. Thereafter the same procedure  
18 shall be followed as prescribed in this chapter for the formation of a  
19 public utility district including an entire county, except that the  
20 petition and election shall be confined solely to the lesser public  
21 utility district.

22 No public utility district created after September 1, 1979, shall  
23 include any other public utility district within its boundaries:  
24 PROVIDED, That this paragraph shall not alter, amend, or modify  
25 provisions of chapter 54.32 RCW.

26 **Sec. 37.** RCW 54.08.070 and 1979 ex.s. c 240 s 2 are each amended  
27 to read as follows:

28 Any district which does not own or operate electric facilities for  
29 the generation, transmission or distribution of electric power on March  
30 25, 1969, or any district which hereafter does not construct or acquire  
31 such electric facilities within ten years of its creation, shall not  
32 construct or acquire any such electric facilities without the approval  
33 of such proposal by the voters of such district: PROVIDED, That a  
34 district shall have the power to construct or acquire electric  
35 facilities within ten years following its creation by action of its  
36 commission without voter approval of such action.

1 At any general election held in an even-numbered year, the proposal  
2 to construct or acquire electric facilities may be submitted to the  
3 voters of the district by resolution of the public utility district  
4 commission or shall be submitted to the voters of the district by the  
5 county legislative authority on petition of ten percent of the  
6 qualified electors of such district, based on the total vote cast in  
7 the last general county election held in an even-numbered year. A form  
8 of petition for the construction or acquisition of electric facilities  
9 by the public utility district shall be submitted to the county auditor  
10 within ten months prior to the election at which such proposition is to  
11 be submitted to the voters. Petitions shall be filed with the county  
12 auditor not less than four months before such election and the county  
13 auditor shall within thirty days examine the signatures thereof and  
14 certify to the sufficiency or insufficiency thereof. If such petition  
15 is found to be insufficient, it shall be returned to the persons filing  
16 the same, who may amend and add names thereto for ten days, when the  
17 same shall be returned to the county auditor, who shall have an  
18 additional fifteen days to examine the same and attach his certificate  
19 thereto. No person having signed such petition shall be allowed to  
20 withdraw his name therefrom after the filing of the same with the  
21 county auditor: PROVIDED, That each signature shall be dated and that  
22 no signature dated prior to the date on which the form of petition was  
23 submitted to the county auditor shall be valid. Whenever such petition  
24 shall be certified to as sufficient, the county auditor shall forthwith  
25 transmit the same, together with his certificate of sufficiency  
26 attached thereto, to the county legislative authority which shall  
27 submit such proposition to the voters of said district at the next  
28 general election in an even-numbered year (~~occurring forty five days~~  
29 ~~after submission of the proposition to said legislative authority~~)  
30 according to RCW 29A.04.330. The notice of the election shall state  
31 the object of such election, and shall in other respects conform to the  
32 requirements of the general laws of Washington, governing the time and  
33 manner of holding elections.

34 The proposal submitted to the voters for their approval or  
35 rejection, shall be expressed on the ballot substantially in the  
36 following terms:

37 Shall Public Utility District No. . . . . of . . . . . County

1 construct or acquire electric facilities for the generation,  
2 transmission or distribution of electric power?

3 Yes

4 No

5 Within ten days after such election, the election board of the  
6 county shall canvass the returns, and if at such election a majority of  
7 the voters voting on such proposition shall vote in favor of such  
8 construction or acquisition of electric facilities, the district shall  
9 be authorized to construct or acquire electric facilities.

10 **Sec. 38.** RCW 57.04.050 and 1999 c 153 s 1 are each amended to read  
11 as follows:

12 Upon entry of the findings of the final hearing on the petition if  
13 one or more county legislative authorities find that the proposed  
14 district will be conducive to the public health, welfare, and  
15 convenience and will benefit the land therein, they shall present a  
16 resolution to the county auditor calling for a special election to be  
17 held at a date (~~(specified under RCW 29.13.020, that occurs forty five~~  
18 ~~or more days after the resolution is presented)) according to RCW  
19 29A.04.330, at which a ballot proposition authorizing the district to  
20 be created shall be submitted to voters for their approval or  
21 rejection. The commissioners shall cause to be published a notice of  
22 the election for four successive weeks in a newspaper of general  
23 circulation in the proposed district, which notice shall state the  
24 hours during which the polls will be open, the boundaries of the  
25 district as finally adopted and the object of the election, and the  
26 notice shall also be posted ten days in ten public places in the  
27 proposed district. The district shall be created if the ballot  
28 proposition authorizing the district to be created is approved by a  
29 majority of the voters voting on the proposition.~~

30 A separate ballot proposition authorizing the district, if created,  
31 to impose a single-year excess levy for the preliminary expenses of the  
32 district shall be submitted to voters for their approval or rejection  
33 at the same special election, if the petition to create the district  
34 also proposed that a ballot proposition authorizing an excess levy be  
35 submitted to voters for their approval or rejection. The excess levy  
36 shall be proposed in the amount specified in the petition to create the  
37 district, not to exceed one dollar and twenty-five cents per thousand

1 dollars of assessed value, and may only be submitted to voters for  
2 their approval or rejection if the special election is held in  
3 February, March, April, or May. The proposition to be effective must  
4 be approved in the manner set forth in Article VII, section 2(a) of the  
5 state Constitution.

6 **Sec. 39.** RCW 70.44.235 and 1987 c 138 s 4 are each amended to read  
7 as follows:

8 (1) As provided in this section, a public hospital district may  
9 withdraw areas from its boundaries, or reannex areas into the public  
10 hospital district that previously had been withdrawn from the public  
11 hospital district under this section.

12 (2) The withdrawal of an area shall be authorized upon: (a)  
13 Adoption of a resolution by the hospital district commissioners  
14 requesting the withdrawal and finding that, in the opinion of the  
15 commissioners, inclusion of this area within the public hospital  
16 district will result in a reduction of the district's tax levy rate  
17 under the provisions of RCW 84.52.010; and (b) adoption of a resolution  
18 by the city or town council approving the withdrawal, if the area is  
19 located within the city or town, or adoption of a resolution by the  
20 county legislative authority of the county within which the area is  
21 located approving the withdrawal, if the area is located outside of a  
22 city or town. A withdrawal shall be effective at the end of the day on  
23 the thirty-first day of December in the year in which the resolutions  
24 are adopted, but for purposes of establishing boundaries for property  
25 tax purposes, the boundaries shall be established immediately upon the  
26 adoption of the second resolution.

27 The withdrawal of an area from the boundaries of a public hospital  
28 district shall not exempt any property therein from taxation for the  
29 purpose of paying the costs of redeeming any indebtedness of the public  
30 hospital district existing at the time of the withdrawal.

31 (3) An area that has been withdrawn from the boundaries of a public  
32 hospital district under this section may be reannexed into the public  
33 hospital district upon: (a) Adoption of a resolution by the hospital  
34 district commissioners proposing the reannexation; and (b) adoption of  
35 a resolution by the city or town council approving the reannexation, if  
36 the area is located within the city or town, or adoption of a  
37 resolution by the county legislative authority of the county within

1 which the area is located approving the reannexation, if the area is  
2 located outside of a city or town. The reannexation shall be effective  
3 at the end of the day on the thirty-first day of December in the year  
4 in which the adoption of the second resolution occurs, but for purposes  
5 of establishing boundaries for property tax purposes, the boundaries  
6 shall be established immediately upon the adoption of the second  
7 resolution. Referendum action on the proposed reannexation may be  
8 taken by the voters of the area proposed to be reannexed if a petition  
9 calling for a referendum is filed with the city or town council, or  
10 county legislative authority, within a thirty-day period after the  
11 adoption of the second resolution, which petition has been signed by  
12 registered voters of the area proposed to be reannexed equal in number  
13 to ten percent of the total number of the registered voters residing in  
14 that area.

15 If a valid petition signed by the requisite number of registered  
16 voters has been so filed, the effect of the resolutions shall be held  
17 in abeyance and a ballot proposition to authorize the reannexation  
18 shall be submitted to the voters of the area at the next special  
19 election date (~~specified in RCW 29A.13.020 that occurs forty five or~~  
20 ~~more days after the petitions have been validated~~) according to RCW  
21 29A.04.330. Approval of the ballot proposition authorizing the  
22 reannexation by a simple majority vote shall authorize the  
23 reannexation.

24 NEW SECTION. Sec. 40. RCW 29A.04.158 (September primary) and 2004  
25 c 271 s 187 are each repealed.

26 NEW SECTION. Sec. 41. Sections 1 through 16 and 18 through 40 of  
27 this act take effect January 1, 2007.

28 NEW SECTION. Sec. 42. Section 16 of this act expires July 1,  
29 2013.

30 NEW SECTION. Sec. 43. Section 17 of this act takes effect July 1,  
31 2013.

--- END ---